UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHVILLE DIVISION 1:08-cy-108-GCM

JAMES E. WHALEY DUDLEY LEVON SKIPPER,)	
Plaintiffs,))	
v.)	ORDER
PERRY HATCHER, <u>et</u> <u>al.</u> ,)	
Defendants.)))	

THIS MATTER comes before the Court for review of Plaintiffs' Motions to Appoint Counsel (Doc. No. 4), filed March 31, 2008, (Doc. No. 7), filed April 2, 2008, (Doc. No. 8), filed April 4, 2008, (Doc. No. 10), filed April 9, 2008, and (Doc. No. 14), filed April 22, 2008; and Plaintiffs' Motion for Temporary Restraining Order (Doc. No. 5), filed April 2, 2008; Plaintiffs' Motion for an Order (Doc. No. 6), filed April 2, 2008; Plaintiffs' Motion for Preliminary Injunction (Doc. No. 9), filed April 9, 2008; Plaintiffs' Motion to Amend/Correct Complaint (Doc. No. 11), filed April 14, 2008; and Plaintiffs' Motion for Reconsideration (Doc. No. 15), filed April 23, 2008.

The Plaintiffs' original Complaint was filed on March 25, 2008. Plaintiffs did not pay the initial \$350.00 filing fee or submit in forma pauperis applications as required by federal law.

Consequently, on March 26, 2008, after conducting an initial review, this Court dismissed the Complaint without prejudice. Because the Complaint was dismissed without prejudice for failure to pay the filing fee, the foregoing motions are moot.

IT IS THEREFORE ORDERED THAT:

- 1) Plaintiffs' Motions to Appoint Counsel (Docs. 4, 7, 8, 10, 14) are **DENIED**;
- 2) Plaintiffs' Motion for Temporary Restraining Order (Doc. No. 5) is **DENIED**;
- 3) Plaintiffs' Motion for an Order (Doc. No. 6) is **DENIED**;
- 4) Plaintiffs' Motion for Preliminary Injunction (Doc. No. 9) is **DENIED**; and
- 5) Plaintiffs' Motion to Amend and Motion for Reconsideration (Doc. No. 15) are **DENIED**.

Signed: May 20, 2008

Graham C. Mullen United States District Judge